

EXHIBIT H

Bryan Tyson

From: Carey Miller <carey.miller@robbinsfirm.com>
Sent: Monday, June 21, 2021 2:13 PM
To: Cross, David D.; Bryan Tyson; Brogan, Eileen M.; Ascarrunz, Veronica; Hedgecock, Lyle F.; Conaway, Jenna B.; cheryl.ringer@fultoncountyga.gov; Vincent Russo; Alexander Denton; Jonathan Crumly; Dal Burton; Diane LaRoss; Bryan Jacoutot; Loree Anne Paradise; Bruce Brown; Rob McGuire; Cary Ichter; Halsey G. Knapp, Jr.; Adam M. Sparks; Kaiser, Mary; Manoso, Robert W.; Josh Belinfante; Melanie Johnson; Javier Pico-Prats; Rashmi Ahuja; Drina Miller
Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

David,

Last fall, we produced thousands of pages of documents to you in an expedited timeframe; your clients produced nine pages of documents as I recall. I may have missed them, but I have seen no productions from your clients since. As to the terms at issue here, they hit on more than 70% of the entire email files of six of the custodians identified for the pertinent time period.

Setting that aside, perhaps I was unclear. 280,000 messages were produced in **total** in Fair Fight, ranging from claims on the number of polling locations to disparate impact VRA claims. My point was not that 280k emails produced in Fair Fight are relevant here (for the most part, they're not) but that in order to produce such a volume of documents, it will take months and presumably push out the schedule. Further, the bulk of Fair Fight productions were responsive to DRE searches, discovery on which you have previously obtained and a claim the Fair Fight Plaintiffs withdrew in light of mootness as explained in Judge Jones's Summary Judgment orders. We continue to maintain the same should be the case here.

Finally, as to Fair Fight documents that may be relevant to your claims, those productions resulted in about 8800 documents (emails and other files) that hit on terms regarding that issue. Presumably, Dr. Halderman has already reviewed those documents in preparation for his expert report in the Fair Fight litigation, submitted before the claim was dismissed so there will be little prejudice in receiving them again.

In any event, we are running a comparison against documents produced in Fair Fight. We will produce documents we produced in fair fight that are relevant to your claims here and will produce documents following our agreement to narrowed terms. However, we do not believe this case entitles you to all discovery obtained in Fair Fight on claims your clients are not pursuing here.

Carey A. Miller | 404.856.3286 | [ROBBINS](#)

From: Cross, David D. [mailto:DCross@mofo.com]
Sent: Monday, June 21, 2021 1:32 PM
To: Carey Miller <carey.miller@robbinsfirm.com>; Bryan Tyson <btyson@taylorenghish.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; Vincent Russo <vrusso@robbinsfirm.com>; Alexander Denton <Alexander.Denton@robbinsfirm.com>; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucebrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <CIchter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante

<Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

Have you deduped this collection against what you produced in the Fair Fight case? If so, how many documents does that leave to review? You won't need to re-review documents already produced in the Fair Fight case since you already decided those were relevant to "similar claims." If you haven't done this, please do it and provide the net numbers.

And please explain why you haven't already produced to us the documents you produced in the Fair Fight case, which you could and should have produced months ago. That obviously is an easy production to get out given you already provided it to plaintiffs in another case on "similar claims." Please confirm that we will receive that production by Wednesday of this week.

DC

From: Cross, David D. <DCross@mofo.com>

Date: Monday, Jun 21, 2021, 1:23 PM

To: Carey Miller <carey.miller@robbinsfirm.com>, Bryan Tyson <btyson@taylorenghish.com>, Brogan, Eileen M. <EBrogan@mofo.com>, Ascarrunz, Veronica <VAscarrunz@mofo.com>, Hedgecock, Lyle F. <LHedgecock@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, cheryl.ringer@fultoncountyga.gov <cheryl.ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, Jonathan Crumly <jcrumly@taylorenghish.com>, Dal Burton <dburton@taylorenghish.com>, Diane LaRoss <dlaross@taylorenghish.com>, Bryan Jacoutot <bjacoutot@taylorenghish.com>, Loree Anne Paradise <lparadise@taylorenghish.com>, Bruce Brown <bbrown@brucepbrownlaw.com>, Rob McGuire <ram@lawram.com>, Cary Ichter <Cichter@IchterDavis.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, Adam M. Sparks <sparks@khlawfirm.com>, Kaiser, Mary <MKaiser@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Melanie Johnson <melanie.johnson@robbinsfirm.com>, Javier Pico-Prats <javier.picoprats@robbinsfirm.com>, Rashmi Ahuja <rahuja@taylorenghish.com>, Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Carey -

Bryan emailed us 11 days ago with the same numbers and indicated that you would review and produce responsive documents coming out of the searches. He didn't raise any issue with the searches or with the review process he indicated then you were beginning with the documents coming out of those searches. To tell us 11 days later that you suddenly want to revamp the searches and are not even beginning to produce documents when we have expert reports due in 10 days is inappropriate and unacceptable. This should have happened weeks or months ago.

If you want to send us narrowed search terms today with the corresponding hit results for each current search and for each corresponding narrowed search, please do so. We'll consider your proposal as well as any relief we need to obtain from the Court for this continued improper delay of discovery.

DC

From: Carey Miller <carey.miller@robbinsfirm.com>

Date: Monday, Jun 21, 2021, 1:16 PM

To: Cross, David D. <DCross@mofo.com>, Bryan Tyson <btyson@taylorenghish.com>, Brogan, Eileen M. <EBrogan@mofo.com>, Ascarrunz, Veronica <VAscarrunz@mofo.com>, Hedgecock, Lyle F. <LHedgecock@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, cheryl.ringer@fultoncountyga.gov <cheryl.ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, Jonathan Crumly <jcrumly@taylorenghish.com>, Dal Burton <dburton@taylorenghish.com>, Diane LaRoss <dlaross@taylorenghish.com>, Bryan Jacoutot <bjacoutot@taylorenghish.com>, Loree Anne Paradise <lparadise@taylorenghish.com>, Bruce Brown <bbrown@brucepbrownlaw.com>, Rob McGuire <ram@lawram.com>, Cary Ichter <Clichter@IchterDavis.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, Adam M. Sparks <sparks@khlawfirm.com>, Kaiser, Mary <MKaiser@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Melanie Johnson <melanie.johnson@robbinsfirm.com>, Javier Pico-Prats <javier.picoprats@robbinsfirm.com>, Rashmi Ahuja <rahuja@taylorenghish.com>, Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

David:

We have run the search terms per your modifications to identify responsive documents. They identified more than 50gb of emails alone (approx. 473,783 email messages, pre-duplication, around 350,000 after removing duplicates). To put this in perspective, in the *Fair Fight* litigation, our clients produced about 280,000 email messages in total and, of course, in addition to seeking discovery on similar claims as your clients are pursuing here, the Fair Fight plaintiffs pursued many more claims on other topics. In Fair Fight, completing review of those emails alone, with the additional expense of nearly 30 contract attorneys dedicated solely to document review, took a little more than three months in addition to about four months for other discovery there.

Suffice to say, the number of messages the search terms "hit" on does not appear proportional to the needs of the case, and completing review/production based on the universe of documents as it currently stands will be inordinately burdensome and take more time than we suspect you prefer. We would like to propose narrowing the search terms to avoid this issue, please let us know if you are amenable to narrowing the terms and we will propose alterations. Otherwise, we will need to prepare a joint discovery statement on scope/breadth.

Thanks

Carey A. Miller | 404.856.3286 | [ROBBINS](http://www.robbinsfirm.com)

From: Cross, David D. [<mailto:DCross@mofo.com>]

Sent: Saturday, June 19, 2021 8:28 PM

To: Bryan Tyson <btyson@taylorenghish.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; Vincent Russo <vrusso@robbinsfirm.com>; Carey Miller <carey.miller@robbinsfirm.com>; Alexander Denton <Alexander.Denton@robbinsfirm.com>; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Clichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

Can you please let us know when you will start rolling your production and when you expect to complete it? It's been a week since your update below, and we've not received any production from your clients.

Thanks.
DC

From: Bryan Tyson <btyson@taylorenghish.com>
Date: Thursday, Jun 10, 2021, 8:12 PM
To: Cross, David D. <DCross@mofo.com>, Brogan, Eileen M. <EBrogan@mofo.com>, Ascarrunz, Veronica <VAscarrunz@mofo.com>, Hedgecock, Lyle F. <LHedgecock@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, cheryl.ringer@fultoncountyga.gov <cheryl.ringer@fultoncountyga.gov>, vrusso@robbinsfirm.com <vrusso@robbinsfirm.com>, cmiller@robbinsfirm.com <cmiller@robbinsfirm.com>, adenton@robbinsfirm.com <adenton@robbinsfirm.com>, Jonathan Crumly <jcrumly@taylorenghish.com>, Dal Burton <dburton@taylorenghish.com>, Diane LaRoss <dlaross@taylorenghish.com>, Bryan Jacoutot <bjacoutot@taylorenghish.com>, Loree Anne Paradise <lparadise@taylorenghish.com>, Bruce Brown <bbrown@brucebrownlaw.com>, Rob McGuire <ram@lawram.com>, Cary Ichter <Cichter@IchterDavis.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, Adam M. Sparks <sparks@khlawfirm.com>, Kaiser, Mary <MKaiser@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Melanie Johnson <melanie.johnson@robbinsfirm.com>, Javier Pico-Prats <javier.picoprats@robbinsfirm.com>, Rashmi Ahuja <rahuja@taylorenghish.com>, Drina Miller <dmiller@taylorenghish.com>
Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

David,

I was traveling most of the day today and will get an update for you once I can talk with folks at the office tomorrow. The search terms yielded more than 300,000 emails, most of which came from a single entry, and we are queuing up our review process on those. We have also been going through the slow process of downloading the election databases. We can produce to you tomorrow whatever databases we already have downloaded on an external drive to Halsey's office (or can overnight where you would prefer) and get the remaining ones as quickly as we can get them off the USB drives after that.

Thanks,

Bryan



Bryan P. Tyson

Taylor English Duma LLP | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7249 | M: 404.219.3160 | btyson@taylorenghish.com

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From: Cross, David D. <DCross@mofo.com>

Sent: Thursday, June 10, 2021 2:29 PM

To: Bryan Tyson <btyson@taylorenghish.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

When do you expect to start rolling your production?

We had understood that you were going to get back to us on the other issues addressed in our last correspondence. Do we understand that correctly, and if so, when can we expect that?

Thanks.

DC

From: Bryan Tyson <btyson@taylorenghish.com>

Date: Monday, Jun 07, 2021, 2:13 PM

To: Cross, David D. <DCross@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

David,

Yes. We will be producing whatever was sent back to us from the counties for the November 2020 and January 2021 elections. Those are supposed to be project packages (EMS databases) and we are in the process of downloading them from the individual USB drives the state received.

Thanks,

Bryan



Bryan P. Tyson

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From: Cross, David D. <DCross@mofo.com>

Sent: Monday, June 7, 2021 1:12 PM

To: Bryan Tyson <btyson@taylorenghish.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan –

Can you please confirm that these Project Packages (EMS databases) will be produced for both the October/November 2020 elections and the January 2021 Senate runoff election?

Thanks,

DC

DAVID D. CROSS

CHAIR OF ANTITRUST LITIGATION PRACTICE

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From: Bryan Tyson <btyson@taylorenghish.com>

Sent: Friday, June 4, 2021 2:55 PM

To: Cross, David D. <DCross@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

David,

I've confirmed that the format we receive from the counties is the Project Package. The projects are sizable files (for example, Fulton's is over 30GB) and are stored on individual jump drives. We expect to be able to have them to you by early next week and will keep you posted if that changes as they are copied from the jump drives. Of course, we will also provide you with whatever else is needed to access the files.

Thanks,

Bryan



Bryan P. Tyson

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From: Cross, David D. <DCross@mofo.com>

Sent: Friday, June 4, 2021 11:58 AM

To: Bryan Tyson <btyson@taylorenghish.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh

Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

On 2 below, we understand that the natural way to export this data from the Dominion EMS is as something called a Project Package. If that's the native format you have in GA, we'd prefer it over JSON. We also understand that the password protection used on Project Packages is easily bypassed. If the state or counties, or anyone else, have applied any additional layers of encryption or password protection, beyond what the Dominion software does by itself, we would need those passwords or the decrypted files.

Thanks.

DC

From: Cross, David D. <DCross@mofo.com>

Date: Friday, Jun 04, 2021, 9:59 AM

To: Bryan Tyson <btyson@taylorenghish.com>, Brogan, Eileen M. <EBrogan@mofo.com>, Ascarrunz, Veronica <VAscarrunz@mofo.com>, Hedgecock, Lyle F. <LHedgecock@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, cheryl.ringer@fultoncountyga.gov <cheryl.ringer@fultoncountyga.gov>, vrusso@robbinsfirm.com <vrusso@robbinsfirm.com>, cmiller@robbinsfirm.com <cmiller@robbinsfirm.com>, adenton@robbinsfirm.com <adenton@robbinsfirm.com>, Jonathan Crumly <jcrumly@taylorenghish.com>, Dal Burton <dburton@taylorenghish.com>, Diane LaRoss <dlaross@taylorenghish.com>, Bryan Jacoutot <bjacoutot@taylorenghish.com>, Loree Anne Paradise <lpadise@taylorenghish.com>, Bruce Brown <bbrown@brucebrownlaw.com>, Rob McGuire <ram@lawram.com>, Cary Ichter <CIchter@IchterDavis.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, Adam M. Sparks <sparks@khlawfirm.com>, Kaiser, Mary <MKaiser@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Melanie Johnson <melanie.johnson@robbinsfirm.com>, Javier Pico-Prats <javier.picoprats@robbinsfirm.com>, Rashmi Ahuja <rahuja@taylorenghish.com>, Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Checking with Dr. Halderman on 2 to confirm.

Can you also please confirm you'll produce documents in the format we requested, including with the requested metadata, going forward, per Rule 34?

From: Bryan Tyson <btyson@taylorenghish.com>

Date: Friday, Jun 04, 2021, 9:48 AM

To: Brogan, Eileen M. <EBrogan@mofo.com>, Cross, David D. <DCross@mofo.com>, Ascarrunz, Veronica <VAscarrunz@mofo.com>, Hedgecock, Lyle F. <LHedgecock@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, cheryl.ringer@fultoncountyga.gov <cheryl.ringer@fultoncountyga.gov>, vrusso@robbinsfirm.com <vrusso@robbinsfirm.com>, cmiller@robbinsfirm.com <cmiller@robbinsfirm.com>, adenton@robbinsfirm.com <adenton@robbinsfirm.com>, Jonathan Crumly <jcrumly@taylorenghish.com>, Dal Burton <dburton@taylorenghish.com>, Diane LaRoss <dlaross@taylorenghish.com>, Bryan Jacoutot <bjacoutot@taylorenghish.com>, Loree Anne Paradise <lpadise@taylorenghish.com>, Bruce Brown <bbrown@brucebrownlaw.com>, Rob McGuire <ram@lawram.com>, Cary Ichter <CIchter@IchterDavis.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, Adam M. Sparks <sparks@khlawfirm.com>, Kaiser, Mary <MKaiser@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Melanie Johnson <melanie.johnson@robbinsfirm.com>, Javier Pico-Prats <javier.picoprats@robbinsfirm.com>, Rashmi Ahuja <rahuja@taylorenghish.com>, Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

Good morning,

I had one update and a request related to this letter.

1. The expanded search terms in this letter are acceptable and we will begin running those against the extended list of custodians immediately to begin a rolling production of documents as quickly as we can.
2. David mentioned in the conference with Judge Totenberg on Wednesday that you wanted the election databases in the same format received from the counties and not in a JSON format. If you can confirm that is correct, we will be able to produce what we have from the counties by early next week at the latest.

Thanks,

Bryan



Bryan P. Tyson

Taylor English Duma LLP | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7249 | M: 404.219.3160 | btyson@taylorenghish.com

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From: Brogan, Eileen M. <EBrogan@mofo.com>

Sent: Tuesday, June 1, 2021 12:04 PM

To: Bryan Tyson <btyson@taylorenghish.com>; Cross, David D. <DCross@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <CIchter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Counsel,

Please see the attached correspondence. Hope everyone had an enjoyable Memorial Day weekend.

Best,
Eileen

EILEEN BROGAN

Associate | Morrison & Foerster LLP

2100 L Street, NW, Suite 900 | Washington, DC 20037

P: +1 (202) 887-1520

mofo.com | [LinkedIn](#) | [Twitter](#)

From: Bryan Tyson <btyson@taylorenghish.com>

Sent: Friday, May 21, 2021 6:48 PM

To: Cross, David D. <DCross@mofo.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Clichter@lichterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

David,

The search terms were originally utilized in *Fair Fight Action v. Raffensperger*, Case No. 1:18-cv-05391-SCJ. A copy of the amended complaint with all opposing counsel listed is attached. We have not conducted any separate testing of these terms against a sample, but similar terms yielded 8,825 responsive documents in *Fair Fight Action* and we will also plan to review the documents captured by the terms for responsiveness.

Secretary of State employees store all documents on a central shared server, so we will separately search that server for responsive documents, as we have in other election cases.

The list of custodians came from your letter to us, removing the individuals who are not employees of the Secretary of State's office. We do not believe there are additional individuals who would have responsive documents but will obviously comply with our obligations under the Federal Rules if we discover others during the search process.

We look forward to receiving answers to the other issues in the letter.

Thanks,

Bryan



Bryan P. Tyson

Taylor English Duma LLP | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7249 | M: 404.219.3160 | btyson@taylorenghish.com

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From: Cross, David D. <DCross@mofo.com>

Sent: Thursday, May 20, 2021 6:37 PM

To: Bryan Tyson <btyson@taylorenghish.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Bruce Brown <bbrown@brucebrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <CIchter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Melanie Johnson <melanie.johnson@robbinsfirm.com>; Javier Pico-Prats <javier.picoprats@robbinsfirm.com>; Rashmi Ahuja <rahuja@taylorenghish.com>; Drina Miller <dmiller@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan -

Per our prior correspondence, we need more information to assess the efficacy of the proposed search terms, which we're willing to consider without waiving any rights. In particular, please provide the following by tomorrow:

- The case caption(s) and court(s) for the "prior litigation filed against the State of Georgia" for which these terms were developed, and the individual name(s) and law firm(s) of the opposing counsel in each such case who "accepted the terms as comprehensive";
- Any metrics from any testing of these terms against a robust data/document sample to assess under- and over-inclusiveness
- An explanation of whether the terms have been used for production in any other litigation and, if so, what was produced, when, to whom, for what custodians, and in what volumes

Regarding the data/documents to be searched, please confirm that you will run any search terms against each custodian's files, such as Word processing and other text searchable documents stored on their respective computers or other media, including shared sites or folders. The terms should not be run only against their Exchange mailboxes as your letter seems to indicate, as that would be much too narrow to comply with Rules 26 and 34.

Regarding document custodians, we need to understand how you arrived at that list and we need to know - per Rule 26 - the names of other employees, agents, or others with responsibility regarding Georgia's election system who may have relevant documents within your clients' possession, custody, or control.

We'll be in touch regarding the other issues in your letter.

Thanks.
DC

From: Bryan Tyson <btyson@taylorenghish.com>

Date: Thursday, May 20, 2021, 5:47 PM

To: Ascarrunz, Veronica <VAscarrunz@mofo.com>, Hedgecock, Lyle F. <LHedgecock@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, cheryl.ringer@fultoncountyga.gov <cheryl.ringer@fultoncountyga.gov>, vrusso@robbinsfirm.com <vrusso@robbinsfirm.com>, cmiller@robbinsfirm.com <cmiller@robbinsfirm.com>, adenton@robbinsfirm.com <adenton@robbinsfirm.com>, Jonathan Crumly <jcrumly@taylorenghish.com>, Dal Burton <dburton@taylorenghish.com>, Diane LaRoss <dlaross@taylorenghish.com>, Bryan Jacoutot <bjacoutot@taylorenghish.com>, Loree Anne Paradise <lparadise@taylorenghish.com>, Cross, David D. <DCross@mofo.com>, Bruce Brown <bbrown@brucepbrownlaw.com>, Rob McGuire <ram@lawram.com>, Cary Ichter <CIchter@IchterDavis.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, Adam M. Sparks <sparks@khlawfirm.com>, Kaiser, Mary <MKaiser@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Brogan, Eileen M. <EBrogan@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Melanie Johnson <melanie.johnson@robbinsfirm.com>, Javier Pico-Prats <javier.picoprats@robbinsfirm.com>, Rashmi Ahuja <rahuja@taylorenghish.com>, Drina Miller <dmiller@taylorenghish.com>, Bryan Tyson <btyson@taylorenghish.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

All:

Please find attached a letter summarizing proposed search terms and related to several other discovery issues in this case. We look forward to your response.

Thanks,

Bryan



Bryan P. Tyson

Taylor English Duma LLP | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7249 | M: 404.219.3160 | btyson@taylorenghish.com

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From: Bryan Tyson

Sent: Monday, May 17, 2021 10:12 AM

To: 'Ascarrunz, Veronica' <VAscarrunz@mofo.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; James Balli <jballi@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Cross, David D. <DCross@mofo.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter

<Clchter@lchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>
Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Veronica,

We have already responded to those issues previously and did not respond further because they were not raised in David's letter outlining the "final positions" on outstanding discovery issues on May 11. To the extent you expect a response, our previous letters fully outline our positions on these issues and we'll be ready to fill in our portions of joint discovery statements when and if you send those our way.

Thanks,

Bryan



Bryan P. Tyson

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From: Ascarrunz, Veronica <VAscarrunz@mofo.com>

Sent: Friday, May 14, 2021 7:55 PM

To: Bryan Tyson <btyson@taylorenghish.com>; Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; James Balli <jballi@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Cross, David D. <DCross@mofo.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Clchter@lchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>

Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Bryan,

Your letter does not address the below from David's letter to you of April 22, 2021, which we take to mean that we understand your position correctly and so will raise these issues with the Court.

We also understand that you will not produce (i) documents with appropriate metadata, (ii) Dominion EMS DVD files, (iii) any documents concerning Dominion, (iv) documents related to EMS databases, (v) any fully-configured EMS, (vi) any fully-configured ICC, or (vii) any BMD equipment or peripherals. Please let me know if that understanding is incorrect before we raise

these issues with the Court, which we intend to do expeditiously if needed.

Best,
Veronica Ascarrunz

From: Bryan Tyson <btyson@taylorenghish.com>
Sent: Friday, May 14, 2021 5:27 PM
To: Hedgecock, Lyle F. <LHedgecock@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; James Balli <jballi@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot <bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Cross, David D. <DCross@mofo.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Clchter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>; Bryan Tyson <btyson@taylorenghish.com>
Subject: RE: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

External Email

All:

Please find attached State Defendants' letter responding to Mr. Cross's letter and outlining our discovery positions as we discussed.

Have a great weekend,

Bryan



Bryan P. Tyson

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From: Hedgecock, Lyle F. <LHedgecock@mofo.com>
Sent: Tuesday, May 11, 2021 10:02 PM
To: Conaway, Jenna B. <JConaway@mofo.com>; Bryan Tyson <btyson@taylorenghish.com>; cheryl.ringer@fultoncountyga.gov; vrusso@robbinsfirm.com; cmiller@robbinsfirm.com; adenton@robbinsfirm.com; Jonathan Crumly <jcrumly@taylorenghish.com>; James Balli <jballi@taylorenghish.com>; Dal Burton <dburton@taylorenghish.com>; Diane LaRoss <dlaross@taylorenghish.com>; Bryan Jacoutot

<bjacoutot@taylorenghish.com>; Loree Anne Paradise <lparadise@taylorenghish.com>; Cross, David D. <DCross@mofo.com>; Bruce Brown <bbrown@brucepbrownlaw.com>; Rob McGuire <ram@lawram.com>; Cary Ichter <Cichter@IchterDavis.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Adam M. Sparks <sparks@khlawfirm.com>; Ascarrunz, Veronica <VAscarrunz@mofo.com>; Kaiser, Mary <MKaiser@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Brogan, Eileen M. <EBrogan@mofo.com>
Subject: Curling v. Raffensperger, No. 1:17-cv-2989-AT (N.D. Ga.)

Mr. Tyson,

Please find attached a letter from Mr. Cross concerning discovery.

Best,

LYLE HEDGEcock

Associate | Morrison & Foerster LLP

2100 L Street, NW, Suite 900 | Washington, DC 20037

P: +1 (202) 572-6769

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